

REMARKS

Reconsideration of the present application is respectfully requested. Claims 1-14, 27-31 and 39 were previously canceled. In this amendment, claims 15, 20, 32, 40 and 48 have been amended. No claims have been canceled or added in this amendment. Therefore, claims 15-26, 32-28 and 40-55 remain pending.

In the present Office Action, claims 15-26, 32-28 and 40-55 stand rejected under 35 U.S.C. § 102(e) U.S. Patent no. 6,880,080 of Penders (“Penders”).

Independent claims 15 20, 32, 40 and 48

Claim 15, as amended, recites:

15. (Currently amended) A method comprising:
operating a primary trusted provisioning domain (TPD); and
using the primary TPD to provision a mobile device on a wireless network **by sending a provisioning message from the primary TPD to the mobile device**, the provisioning message specifying a secondary TPD authorized to provision the mobile device via a network and an identifier of one or more parameters which the secondary TPD is authorized to provision, the secondary TPD comprising a provisioning server. (Emphasis added.)

Penders fails to disclose or even suggest such a method, particularly where a primary TPD is used to provision a mobile device on a wireless network by sending a provisioning message *from the primary TPD to the mobile device*, where the provisioning message specifies a secondary TPD authorized to provision the mobile device and an identifier of one or more parameters which the secondary TPD is authorized to provision.

Penders discloses a technique by which a service provider (SP) is authorized to provide a predefined functionality to a terminal of a user. As disclosed by Penders, this

is done by a certificate authority (CA) sending a digital certificate to the SP. Although the Office Action is not very detailed about the Examiner's interpretation of Penders, it appears that the Examiner considers the CA in Penders to read on the primary TPD of claim 15 and considers the SP to read on the secondary TPD of claim 15. However, nowhere does Penders disclose or suggest that the CA provides a digital certificate or any form of provisioning message to *the terminal* of the user. The CA sends the digital certificate to *the SP and a predefined location in the network* (col. 6, lines 59-61). When the terminal of the user needs to invoke the service, it obtains the digital certificate of the SP from *the SP and/or from the predefined location in the network* (col. 6, line 66 to col. 7, line 3), *but not from the CA*. Thus, Penders does not disclose or even suggest sending a provisioning message from *the primary TPD to the mobile device*, much less where the provisioning message specifies a secondary TPD authorized to provision the mobile device and an identifier of one or more parameters which the secondary TPD is authorized to provision.

Furthermore, Penders provides no hint as to why it would even be *desirable* to provide a provisioning message from *a primary TPD to the mobile device*. For at least these reasons, therefore, claim 15 and all claims which depend on it are thought to be patentable over the cited art.

Claims 20, 32, 40 and 48 have been amended to include similar limitations as those in claim 15 emphasized above. Therefore, those claims and all claims which depend on them are also thought to be patentable over the cited art for reasons similar to those discussed above.

Independent claims 44 and 52

Independent claims 44 and 52 have not been amended. Claim 44 recites:

44. (Original) A method of operating a mobile device on a wireless network, the method comprising:

- receiving a provisioning message from a remote source, the provisioning message specifying a parameter;
- determining whether the remote source is a primary trusted provisioning domain (TPD);
- if the remote source is the primary TPD, provisioning the parameter in the mobile device in response to the provisioning message;
- if the remote source is not the primary TPD, determining whether the remote source is a secondary TPD authorized to provision the parameter, **based on a provisioning authorization previously received by the mobile device from the primary TPD**; and
- if the remote source is a secondary TPD authorized to provision the parameter, provisioning the parameter in the mobile device in response to the provisioning message. (Emphasis added.)

Penders fails to disclose or even suggest such a method, particularly one which includes, if the remote source is not the primary TPD, determining whether the remote source is a secondary TPD authorized to provision the parameter, based on a provisioning authorization previously received *by the mobile device from the primary TPD*. As discussed above, Penders does not disclose that the terminal of the user receives the digital certificate or any form of provisioning message *from the CA*.

Furthermore, Penders provides no hint as to why it would even be *desirable* to provide a provisioning message *from a primary TPD to the mobile device*. For at least these reasons, therefore, claim 44 and all claims which depend on it are thought to be patentable over the cited art.

Claim 52 includes similar limitations as those in claim 44 emphasized above.

Therefore, claim 52 and all claims which depend on it are also thought to be patentable over the cited art for reasons similar to those discussed above.

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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